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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

APPEAL NO. 953 OF 2005
IN
SUMMONS FOR JUDGMENT NO.471 OF 2004
IN
SUMMARY SUIT NO. 4005 OF 2003

UTV Software Communications Pvt. Ltd. ..Appellant
Vs.
M/s.Deuro Electronics Systems Pvt. Ltd. ..Respondent

....

Mr.Kamlesh Patel i/b Deven Dwarkadas and Partners for Appellant
Ms.Faiza A.Dhanani i/b M/s.Dhru Liladhar & Co. for Respondent

....

CORAM : B.H.MARLAPALLE AND
SMT.V.K.TAHILRAMANI, JJ.

DATE :5th MARCH, 2010

P.C.:

1 Heard. Our attention has been invited to the order dated 30th August, 2007 passed in Appeal No. 950 of 2005 which arose from connected Summary Suit No. i.e. Suit No. 190 of 2003. The said Appeal has been disposed off in the following terms:

"I- Order impugned in the Appeal is set aside.

II- Summons for Judgment No. 474 of 2004 is remitted back to the learned Single Judge for de novo consideration and

decision in accordance with law, after permitting the Plaintiff to file its rejoinder".

2 The learned counsel for the Appellant therefore, prays for a similar order to be passed in this Appeal as well.

3 Hence, the Appeal is disposed off in the following terms:

"I- Order impugned in the Appeal is set aside.

II- Summons for Judgment No. 471 of 2004 is remitted to the learned Single Judge for de novo consideration and decision in accordance with law, after permitting the Plaintiff to file its rejoinder".

[SMT.V.K.TAHILRAMANI, J.] **[B.H.MARLAPALLE, J.]**